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MAY 14 2008

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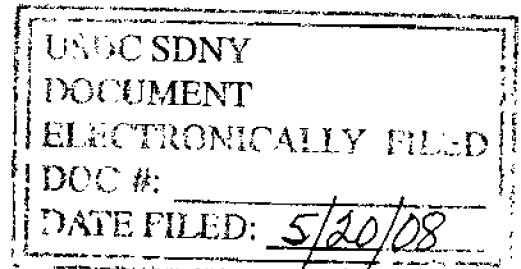
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May 14, 2008

Via Facsimile (212) 805-6181

Honorable Douglas F. Eaton
 United States Magistrate Judge
 United States District Court
 Southern District of New York
 500 Pearl Street, Room 1360
 New York, New York 10007



Re: **Evyat Enterprises v. Gentlemen's Video, et al.**
 07 Civ. 5441

This firm represents plaintiff in the above referenced matter.

As you may be aware, on March 26, 2008, Defendants' counsel filed an Affidavit of Service indicating service of a Third-Party Complaint on Ed DePriest d/b/a "Ed DePriest Productions" by the "mail and mail" method. Service was therefore complete ten days after the filing of the Affidavit of Service, on April 7, 2008. Third-Party Defendant then had thirty days in which to appear. That thirty day period expired last week, on May 7, 2008. To date, Third-Party Defendant has not appeared and is in default.

In the interim, in order to avoid potential duplication of effort, the undersigned and Defendants' counsel agreed not to proceed with depositions in the main action pending the appearance of Third-Party Defendant. Now that Third-Party Defendant is in default, Plaintiff will complete document production and produce its witness for deposition. While Plaintiff reserves its right to depose Defendants, and to depose a non-party witness, at this time Plaintiff does not anticipate exercising those rights.

USDC SDNY
 DATE SCANNED 5/20/08

MEMO ENDORSED

QUIRK AND BAKALOR, P.C.

Accordingly, counsel for Plaintiff and Defendants jointly request a brief adjustment of the discovery schedule entered on March 13, 2008, as follows: Fact Discovery due by 6/21/08; Dispositive motions due by 7/21/08; Joint Pre-Trial Order due by 7/31/08.

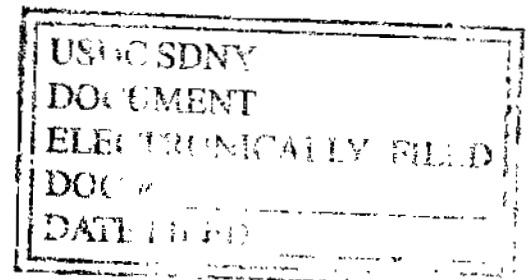
We trust this schedule is acceptable to you and we thank you for your consideration of this request.

Very truly yours,

H. Nicholas Goodman
H. Nicholas Goodman

cc: Edward Rudofsky, Esq. (Via Electronic Mail)

*5/20/08 - I grant this request.
Douglas F. Epstein*

**MEMO ENDORSED**

USDC SDNY
DATE SCANNED _____